

## REMARKS

The office action dated September 3, 2003 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1-26 remain pending in this application. Claims 14 and 16 have been amended. Support for these amendments can be found in the claims as originally filed and throughout the specification. No new matter has been added.

### **A. 35 U.S.C. §102**

Claims 1-26 were rejected under 35 USC 102(e) as being anticipated by Chou et al. (U.S. Patent No. 6,330,499). Applicants traverse this rejection based on the following Remarks and the above Amendments, and respectfully request that the Examiner reconsider the rejection, and that it be withdrawn.

In a rejection under 35 U.S.C. § 102, each and every claim element must be present in the applied reference. Chou does not disclose each and every element in Claim 1, specifically the step of “defining a procedure from pre-defined owner input”. Chou discloses an “In Vehicle System Health Checkup” in element 100 of Fig. 1. The instant application defines the procedure in Paragraphs 28 & 29. The procedure in the instant application is defined by the owner via an interface. The owner here decides what tests to be run, whether it be tests such as oil pressure, engine speed, etc. or a combination of tests. Based on the results of those tests, the operator decides if further tests need to be run. Chou merely allows the driver of a vehicle the option of whether to begin the “In Vehicle System Health Check-up”. Therefore, Chou does not disclose the step of “defining a procedure from pre-defined owner input” as recited in Claim 1, and therefore, does not teach or suggest each and every element of Claim 1. Accordingly, Claim 1 is believed to be allowable. Therefore, the claims that depend from Claim 1 (Claims 2 – 7) are also allowable.

Furthermore, Claim 2 is not disclosed in Chou. Chou again merely discloses allowing a driver or an owner of the vehicle to select whether to begin the “In Vehicle System Health Check-up” by pressing a button. (Col. 7, lines 1-40) However, the instant application allows the owner to select the tests to be run as well as further selecting and defining the parameters to be used during the test. Support for this is found in Paragraphs 28 & 29. Accordingly, Claim 2 is also allowable on its own merits, notwithstanding its dependence upon allowable Claim 1.

Chou does not disclose the sequencer of Claim 5. The Examiner merely points to element 300 of Fig. 2, which is a processor. The sequencer is defined in Paragraph 36 of the Specification. The sequencer is different from a processor defined in Chou. The processor in Chou is used to interface with voice or data connections. The sequencer of the instant application polls the data system at pre-defined intervals and runs the procedure against the data currently in the data system.

Chou does not disclose each and every element in Claim 8, specifically “an analyzer for accepting a defined procedure from an owner, said analyzer processing said machine data based upon said procedure to determine a machine exception”. The processor (300, Fig. 2) in Chou does not accept a defined procedure from an owner. The instant application defines the procedure in Paragraphs 28 & 29. The procedure in the instant application is defined by the owner via an interface. The owner here decides what tests to be run, whether it be tests such as oil pressure, engine speed, etc. or a combination of tests. Based on the results of those tests, the operator decides if further tests need to be run. The analyzer accepts the defined procedure that may have been selected by the owner. Chou merely allows the driver of a vehicle the option of whether to begin the “In Vehicle System Health Check-up”. Therefore, Chou does not disclose the step of “an analyzer for accepting a defined procedure from an owner, said analyzer processing said machine data based upon said procedure to determine a machine exception” as recited in Claim 8, and therefore, does not teach or suggest each and every element of Claim 8. Accordingly, Claim 8 is believed to be allowable. Therefore, the claims that depend from Claim 8 (Claims 9 – 13) are also allowable.

Claim 11 is not disclosed in Chou. Chou again merely discloses allowing a driver or an owner of the vehicle to select whether to begin the “In Vehicle System Health Check-up” by pressing a button. (Col. 7, lines 1-40) However, the instant application allows the owner to select the tests to be run as well as further selecting and defining the parameters to be used during the test. Support for this is found in Paragraphs 28 & 29. Accordingly, Claim 11 is believed to be allowable.

Claim 14, as amended, is believed to be allowable based on the same arguments set forth above with respect to Claim 1. Therefore, Claims 15 and 16 are also allowable since

they depend from an allowable claim (Claim 14). Claim 16 has been amended to conform to the Claim 14 amendment.

Claims 15 and 16 are also not disclosed by Chou. Chou again merely discloses allowing a driver or an owner of the vehicle to select whether to begin the “In Vehicle System Health Check-up” by pressing a button. (Col. 7, lines 1-40) Additionally, although the driver may be able to describe certain symptoms of the problems and use that description to perform further analysis, it does not allow the driver the ability to select the tests to be run and the parameters of those tests. The instant application allows the owner to select the tests to be run as well as further selecting and defining the parameters to be used during the test and in analysis of the tests. Support for this is found in Paragraphs 28 & 29. Accordingly, Claims 15 and 16 are believed to be allowable.

Chou does not disclose each and every element in Claim 17, specifically “an analyzer for accepting a defined procedure from an owner, said analyzer processing said machine data based upon said procedure to determine a machine exception”. The processor (300, Fig. 2) in Chou does not accept a defined procedure from an owner. The instant application defines the procedure in Paragraphs 28 & 29. The procedure in the instant application is defined by the owner via an interface. The owner here decides what tests to be run, whether it be tests such as oil pressure, engine speed, etc. or a combination of tests. Based on the results of those tests, the operator decides if further tests need to be run. The analyzer accepts the defined procedure that may have been selected by the owner. Chou merely allows the driver of a vehicle the option of whether to begin the “In Vehicle System Health Check-up”. Therefore, Chou does not disclose the step of “an analyzer for accepting a defined procedure from an owner, said analyzer processing said machine data based upon said procedure to determine a machine exception” as recited in Claim 17, and therefore, does not teach or suggest each and every element of Claim 17. Accordingly, Claim 17 is believed to be allowable. Therefore, the claims that depend from Claim 17 (Claims 18 and 19) are also allowable.

Claim 19 is not disclosed by Chou. Chou again merely discloses allowing a driver or an owner of the vehicle to select whether to begin the “In Vehicle System Health Check-up” by pressing a button. (Col. 7, lines 1-40) Even though the driver may be able to describe certain symptoms of the problems and use that description to perform further analysis, it still

does not allow the driver the ability to select the tests to be run and the parameters of those tests. The instant application allows the owner to select the tests to be run as well as further selecting and defining the parameters to be used during the test and in analysis of the tests. Support for this is found in Paragraphs 28 & 29. Accordingly, Claim 19 is believed to be allowable.

Chou does not disclose each and every element in Claim 20, specifically “analyzing said machine data based on prior input by an owner”. Chou discloses the step of gathering all relevant information dealing with diagnosis of problem followed by feedback to the driver, but the analysis or feedback is not based on tests that the owner selected to be performed. The instant application defines the procedure in Paragraphs 28 & 29. The procedure in the instant application is defined by the owner via an interface. The owner here decides what tests to be run, whether it be tests such as oil pressure, engine speed, etc. or a combination of tests. Based on the results of those tests, the operator decides if further tests need to be run. The analyzer accepts the defined procedure that may have been selected by the owner. Chou merely allows the driver of a vehicle the option of whether to begin the “In Vehicle System Health Check-up”. Therefore, Chou does not disclose the step of “analyzing said machine data based on prior input by an owner” as recited in Claim 20, and therefore, does not teach or suggest each and every element of Claim 20. Accordingly, Claim 20 is believed to be allowable. Therefore, the claims that depend from Claim 20 (Claims 21 and 22) are also allowable.

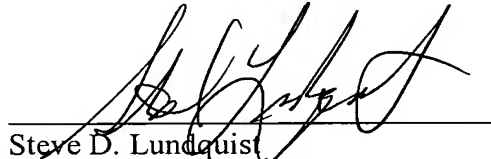
Chou does not disclose each and every element in Claim 23, specifically “an analyzer for processing said machine data based upon prior input by an owner”. The processor (300, Fig. 2) in Chou does not accept a defined procedure from an owner. The instant application defines the procedure in Paragraphs 28 & 29. The procedure in the instant application is defined by the owner via an interface. The owner here decides what tests to be run, whether it be tests such as oil pressure, engine speed, etc. or a combination of tests. Based on the results of those tests, the operator decides if further tests need to be run. The analyzer accepts the defined procedure that may have been selected by the owner. Chou merely allows the driver of a vehicle the option of whether to begin the “In Vehicle System Health Check-up”. Therefore, Chou does not disclose the step of “an analyzer for processing said machine data

based upon prior input by an owner” as recited in Claim 23, and therefore, does not teach or suggest each and every element of Claim 23. Accordingly, Claim 23 is believed to be allowable. Therefore, the claims that depend from Claim 23 (Claims 24 – 26) are also allowable.

**B. Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is respectfully urged that the instant application, as amended, is patentable and is now in condition for allowance. Should the Examiner believe that an interview would facilitate an early disposal of the application, applicant's undersigned attorney invites a telephone call at the below listed number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve D. Lundquist", is written over a horizontal line.

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